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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,540	05/23/2007	Shigeo Okeya	88556.0028	1509
26/021	7590	06/03/2010		
Hogan Lovells US LLP 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067				
EXAMINER				
BEAULIEU, YONEL				
ART UNIT		PAPER NUMBER		
3661				
NOTIFICATION DATE		DELIVERY MODE		
06/03/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/599,540

**Applicant(s)**

OKEYA, SHIGEO

**Examiner**

/Yonel Beaulieu/

**Art Unit**

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/22)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_

***Specification***

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 112***

Claims 1 – 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, “the map” lack antecedent basis as such has not been established prior.

Claims 2 – 17 are necessarily rejected.

Claims 4 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 4 and 11 require **one** of three conditions (detection values exceeding a predetermined value, not meeting a predetermined value, or not being stable occurs) **and** a time that said state continues is within a predetermined time. It appears undue experimentation is required because it is not readily clear which of the three conditions would concretely satisfy adding (note **and** linking the three choices) a time that said state continues is within a predetermined time.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 – 3, 5 – 10, and 12 – 18 are rejected under 35 U.S.C. 102(e) as being anticipated by USP 7471955 B2 to Muramatsu.

Regarding claims 1, 5, and 18, Muramatsu teaches a mobile map display apparatus provided with a geomagnetic sensor (13) for detecting earth-magnetism, a display unit (10c), and a control unit (14) able to calculate a geographical bearing based on detection values of said geomagnetic sensor and having a first display processing for display in a direction linked with said calculated bearing when acquiring a map and making said display unit display the map (from map database 4) and a second display processing for display fixed to a predetermined bearing, wherein said control unit performs the display by said second display processing when detecting a drop in precision (the precision [accuracy/stability] is supported by the DGPS) of said geomagnetic sensor in displaying said map (figs. 1 and 3 at least; col. 6, line 7 – col. 7, line 55 at least).

Regarding claims 2 and 3, Muramatsu further teaches monitoring detection values by detecting at least *one* of the states of values exceeding a predetermined value, not meeting a predetermined value, or not being stable continuing for a predetermined time (see figs. 4 - 6, in particular step S21).

Regarding claim 6, Muramatsu further teaches a GPS signal receiver (module 11) for receiving GPS signals, and said control unit deems said drop in precision to have occurred when a reception level of said GPS signals is low (col. 7, lines 14 – 55 at least).

Regarding claims 7, 10, and 17, Muramatsu further teaches stopping calculation of the bearing (as supported by figs. 4 - 6) and a map providing apparatus connected to a communication network (as supported by fig. 1 at least).

Regarding claims 8 and 9, Muramatsu further teaches a position information acquiring unit (block 3) for acquiring information of a current location based on said GPS signals and a wireless communication unit (1) able to connect to a communication network, said control unit making said wireless communication unit acquire a peripheral map of a current location as said map from said communication network based on the position information acquired by said position information acquiring unit (see figs. 1 and 5; col. 8, lines 26 – 63 at least).

Regarding claims 12 - 14, Muramatsu further teaches changing the display of the map (figs. 9 and 10), calculating a geographical bearing based on meeting predetermined direction values of the geomagnetic sensor (col. 6, line 61 - col. 7, line 13; col. 10, lines 1 - 48 at least).

Regarding claims 15 and 16, Muramatsu teaches all of the limitations including monitoring changing in a magnetic field in the display apparatus, the apparatus provided with two housings (fig. 3 supports such a configuration), and detecting a change of movement (see fig. 7; note col. 9, lines 1 – 42 at least).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. As per attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Yonel Beaulieu/ whose telephone number is (571) 272-6955. The examiner can normally be reached on Mon., Wed. & Thur. between 0900 and 1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yonel Beaulieu/  
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Primary Examiner  
Art Unit 3661